

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATERN, INC.,

Plaintiff,

v.

**THE ALLSTATE CORPORATION,
ET AL.,**

Defendants.

§
§
§
§
§
§
§
§
§
§

Civ No. 2:09-CV-178

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff, Datatern, Inc., hereby voluntarily dismisses WITHOUT PREJUDICE all claims asserted in the above-entitled action against SunTrust Banks, Inc. Prior to the filing of this notice, SunTrust Banks, Inc. has neither served an answer or a motion for summary judgment.

Dated: August 25, 2009

s/Patrick R. Anderson

Marc A. Fenster, Lead
Russ August & Kabat
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
Tel: (310) 826-7474
Fax: (310) 826-6991
mfenster@raklaw.com

Andrew Spangler
Spangler Law P.C.
208 N. Green St., Suite 300
Longview, TX 75601
Tel: (903) 753-9300
Fax: (903) 553-0403
spangler@spanglerlawpc.com

Patrick R. Anderson
Patrick R. Anderson, PLLC

4225 Miller Rd.
Bldg. B-9, Suite 358
Flint, MI 48507
Tel: (810) 275-0751
Fax: (248) 928-9239
Patrick@praplhc.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties via United States mail and/or electronic delivery this 25th day of August, 2009.

s/Patrick R. Anderson